

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

HUBERT UTT,

Plaintiff,

vs.

JOSEPH TRENT DISHMAN, et al.,

Defendants.

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1:08-cv-1308-TAB-RLY

ORDER SETTING SETTLEMENT CONFERENCE AND RELATED DEADLINES

This matter is set for a settlement conference at 9 a.m. on April 27, 2009, in Room 234, United States Courthouse, 46 East Ohio Street, Indianapolis, Indiana, before Magistrate Judge Tim A. Baker.

Unless excused by order of the Court, clients or client representatives with complete authority to negotiate and communicate a settlement shall attend the settlement conference along with their counsel. This requires the presence of each party, or the authorized representative of each corporate, governmental, or other organizational entity. Any insurance company that is a party, or is contractually required to defend or indemnify any party, in whole or in part, must have a fully authorized settlement representative present at the conference. Such representative must have final settlement authority to commit the company to pay, in the representative's own discretion, the amount within the policy limits, or up to the plaintiff's last demand, whichever is lower. The purpose of this requirement is to have in attendance a representative who has the authority to exercise discretion to settle the case during the settlement conference without consulting someone else who is not present. No other persons are permitted

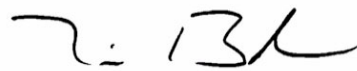
to attend the settlement conference without leave of Court.

Three business days before the scheduled conference, the parties shall submit (not file) to the Magistrate Judge a confidential settlement statement setting forth a brief statement of: (1) relevant facts, including any key facts that the party believes are admitted or in dispute; (2) damages, including any applicable back pay, mitigation, compensatory and/or punitive damages, or any other special damages; and (3) any pending or anticipated dispositive or other substantive motions. The confidential settlement statement should not exceed five, double-spaced pages, and submission of exhibits should be kept to a minimum.

No later than fifteen days prior to the settlement conference, Plaintiff(s) shall serve an updated settlement demand on Defendant(s), who shall serve an updated response no later than seven days before the settlement conference. The parties shall submit (not file) to the Magistrate Judge courtesy copies of their respective demand and response at the time of service. Counsel may submit confidential settlement statements and copies of their settlement demand/response to the undersigned via mail, fax (317-229-3664) or email (MJBaker@insd.uscourts.gov).

A request to vacate or continue the settlement conference shall be done by motion filed with the Court **two weeks** prior to the conference, except in exigent circumstances. Such motion will be granted only for good cause. Failure to comply with any of the provisions in this order may result in sanctions.

Dated: 03/27/2009



Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

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